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December 24, 2009

**VIA ECF**

Hon. Roanne L. Mann  
United States District Court  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: David E. White Company, Inc. v. AAAP USA Corporation;  
Case No. 08-cv-827 (FB) (RLM)**

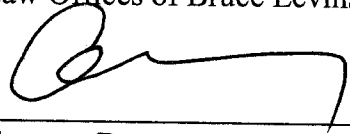
Honorable Madam:

Following up on our letter dated December 22, 2009, I have presented plaintiffs' proposal concerning the service of expert discovery in the above-referenced to all counsel of record. Counsel for Lucca Freezer and Cold Storage has no objections. Counsel for AAAP USA has not responded. Accordingly, we respectfully renew our request that plaintiff be granted leave to serve their first expert report (concerning the transport, cold treatment, and clearing through customs of citrus from Italy) within thirty days of the receipt by our office of the USDA materials. To the extent that defendant or third-party defendant will present expert testimony related to the subject matter covered in that report, those parties would be able to serve their own expert disclosure related to the transport, cold treatment and clearing through customs of citrus from Italy within sixty (60) days (for defendant) or ninety (90) days (for third-party defendant) of the date of service of plaintiff's first expert report. However, to the extent that defendant or third party defendant will present expert testimony on other matters, we ask that they be obligated to comply with their current respective deadlines for expert disclosure.

Thank you for your attention to this matter. Happy Holidays.

Respectfully yours,  
Law Offices of Bruce Levinson

By:

  
\_\_\_\_\_  
Gregory Brown

cc.: Richard E Schrier, Esq. (via ECF)  
David A. Group, Esq. (via ECF)  
Trinity Fruit Sales Co.